

Government of Himachal Pradesh
Department of Personnel

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No. Per(AP-B)-A(3)-5/2020

Dated Shimla-171002, 03rd June, 2022

OFFICE MEMORANDUM

Subject **Sanction for holding an elective office under the Rule 15(1)(c) of the CCS(Conduct) Rules, 1964- regarding.**

The undersigned is directed to say that as per the Rule 15(1)(c) of the CCS (Conduct) Rules, 1964, no Government servant shall, except with the previous sanction of the Government, hold an elective office, or canvass for a candidate or candidates for an elective office, in any body, whether incorporated or not. The instructions issued by the Government of India, Ministry of Personnel, PG & Pensions vide OM No. 11013/9/93-Estt.(A), dated 22.04.1994, which stand adopted by the State Government vide OM No. Per(AP-B)-A(3)-10/75-II, dated 15th March, 2017 stipulate that no Government servant should be allowed to hold elective office in any sports association/ federation for a term of more than 4 years, or for one term, whichever is less.

2. Attention is also invited to the provisions as contained in FR-11 which provide that the entire time of the Government servant should be available to the Government. It should be ensured that no activities unconnected with his or her official duties should be allowed to interfere with the efficient discharge of such duties.

3. Instances have come to the notice where Government servants continue to hold elective offices in various capacities for unduly long period. In some cases, where bye-laws of these bodies place restrictions on the number of consecutive terms, a person may hold an office, some Government servants are reported to have either got themselves re-elected after a gap or have got a family member/ close relative elected as a surrogate in order to keep control of such bodies. In such cases, Government servants may not be bestowing adequate attention upon their official duties and, as a result, an apprehension may arise that such Government servants also develop vested interests, particularly if the body is involved in commercial activities, directly or indirectly.



Contd...2/-

4. The Government of India, Ministry of Personnel, PG & Pensions has modified/revised the policy vide OM No. F.NO. 11013/1/2016-Estt.A-III, dated 27th February, 2020 according to which the policy on fixing an upper limit of the number of years for which Government servant can hold elective office in any body in their entire career has been reviewed. Now a Government servant may be allowed to hold elective office in any body, whether incorporated or not, for period of two terms or for a period of 5 years, whichever is earlier, for which prior sanction would be required when a Government servant contests an election in such body, as per existing rules.

5. As a corollary to the said decision, the instructions issued by the Government of India vide F.No. 11013/1/2016-Estt.A-III, dated 5th August, 2019 and OM No. F.No. 11013/1/2016-Estt.A-III, dated 27th February, 2020 are hereby adopted. It has been decided by the State Government that no Government servant shall be allowed to hold elective office in any body, whether incorporated or not, for more than a period of two terms or for a period of 5 years, whichever is earlier, for which prior sanction would be required when a Government servant contests an election in such body, as per existing rules. For this purpose, the Constitution of such Bodies etc. registered under Societies Act may also be brought in conformity with these instructions.

6. It is, therefore, necessary for the competent authority to keep in mind all the relevant factors while granting permission under Rule 15(1)(c) of the CCS(Conduct) Rules, 1964. It may also be necessary that cases of such sanctions are reviewed from time to time and permission earlier granted revoked where Government servants have been holding office in any body, whether incorporated or not, for more than five years or in cases there are charges of corruption, adverse audit paras etc., the Government servant concerned may be directed to resign from his office in such body immediately. He/she will cease to discharge any function from the date such direction is conveyed to him, irrespective of the fact whether his resignation from the body is accepted or not. In addition, all the Departments/ Boards/ Corporations etc. are also requested to obtain information from their employees in the proforma attached to this Office Memorandum for reviewing the position as well as while considering the request for sanction under Rule 15(1)(c) of the CCS(Conduct) Rules, 1964 in future.



7. This supersedes this Department's Office Memorandum No. Per(AP-B)-A(3)-10/75-II, dated the 15th March, 2017.

8. All the Departments are requested to bring the above instructions to the notice of all authorities under their control for strict compliance.

PRABODH SAXENA
Additional Chief Secretary (Personnel) to the
Government of Himachal Pradesh

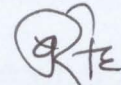
All the Administrative Secretaries to the
Government of Himachal Pradesh,
Shimla-171002

Endst No. As above

Dated Shimla-171002, the 03rd June, 2022

Copy to :-

1. The Principal Secretary to Chief Minister, HP, Shimla-2
2. All Divisional Commissioners in Himachal Pradesh
3. The Secretary to Governor, HP, Shimla-171002
4. All the Heads of Departments in Himachal Pradesh
5. All the Deputy Commissioners in Himachal Pradesh
6. All the Chairmen/Managing Directors /Registrars /Secretaries of Boards/ Corporations /Universities/ Autonomous Bodies Himachal Pradesh.
7. The Registrar, Cooperative Societies, HP, Shimla for necessary action.
8. The Secretary, Himachal Pradesh Public Service Commission, Shimla-2.
9. The Secretary, H.P. Staff Selection Commission, Hamirpur.



(Balbir Singh)

Deputy Secretary (Personnel) to the
Government of Himachal Pradesh
Phone : 0177-2880851

PROFORMA

Name of the Government Servant and Designation	Name of the body and the elective office held by the Government servant from time to time.	The different periods during which he/she has held an elective office in the body	Whether any family member or relative of the Government servant is holding or has held any elective office in the body.	Whether the Government servant receives any remuneration from the body as honorarium/ allowance etc.	Any perks or facilities given by the body viz. car/ air-conditioner etc.
(1)	(2)	(3)	(4)	(5)	(6)